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## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

United States of America,	) Case No. 08-3137M-001
Plaintiff,	ORDER
VS.	)
Nizan Erives-Madrid,	)
Defendant.	) )
	)

Pursuant to the Defendant's Motion, good cause appearing and there being no objection from the Government,

IT IS HEREBY ORDERED granting the Defendant's Motion to Extend Time to *Indict* and extending the time deadline an additional thirty (30) days within which the Government must file an indictment pursuant to 18 U.S.C. Sec. 3161.

The Court specifically finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the Defendant. This finding is based upon the Court's conclusion that: (1) counsel for the Defendant has only recently been appointed; (2) the Defendant wishes to consider the plea offer extended by the Government; (3) the defense requires additional time to investigate the matter; (4) the plea offer, if accepted by the Defendant and the Court, would likely reduce the Defendant's exposure to imprisonment; (5) the Government will likely withdraw the plea offer if not timely accepted prior to indictment and a subsequent plea offer, if any, would

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likely be less advantageous; and (6) failure to extend time would thus operate to bar the Defendant from reviewing the Government's plea offer in a meaningful way prior to indictment.

IT IS FURTHER ORDERED that excludable time shall begin to run on the 31<sup>st</sup> day after arrest for a period of thirty (30) days in which the government may present the case to the grand jury.

Dated this 12th day of May, 2008.

Edward C. Voss United States Magistrate Judge